

AO 91 (Rev. 02/09) Criminal Complaint

United States Courts
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

DEC 24 2009

Clark of Court

United States of America
v.
Robert CAVAZOS

Case No. C-09-1204m

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 12/23/2009 in the county of Brooks in the Southern District of Texas, the defendant violated Title 21 U. S. C. § 841 (a) (1)

, an offense described as follows:

knowingly, intentionally, and unlawfully possess with the intent to distribute a controlled substance in Schedule I of the Controlled Substance Act of 1970, to wit approximately 3.76 kilograms of Marijuana (AGW).

This criminal complaint is based on these facts:

See Attachemnt "A"

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Mike Stewart

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/24/2009


Judge's signature

City and state: Corpus Christi, Texas

U.S. Magistrate Judge Brian L. Owsley

Printed name and title

Attachment "A"

On December 23, 2009, Border Patrol Agent Damien Guerrero was working assigned immigration inspection duties at the United States Border Patrol Checkpoint located approximately 13 miles south of Falfurrias, Texas. At approximately 12:30 a.m., an Americanos bus pulled into the primary lane for an immigration inspection. The bus was referred to the secondary inspection area for a more thorough inspection of its passengers.

While Border Patrol Agent Carlos Guevara conducted an Immigration inspection the bus' passengers, Agent Alejandro Ramon and his service canine Tad conducted a systematic search of the lower luggage compartment. At this time, Tad alerted to an odor he is trained to detect emitting from one of the suitcases. Agent Ramon searched the suitcase and discovered eight bundles of a green leafy substance. The substance was determined to be marijuana. A total eight marijuana bundles were discovered. The bus was then boarded and all the passengers were questioned regarding ownership of the suitcase. None of the passengers claimed ownership suitcase. Upon a further inspection of the passenger's bus tickets, a subject later identified as Robert CAVAZOS presented a ticket matching a ticket attached to the suitcase. Upon further questioning CAVAZOS then claimed the suitcase along with the marijuana. CAVAZOS was placed under arrest and escorted inside the Checkpoint for processing.

Once inside the Checkpoint, CAVAZOS was read his Miranda Rights in his preferred language of English. This was witnessed by Border Patrol Agent Adrian Parada. CAVAZOS was questioned regarding the Marijuana and CAVAZOS stated that all of the marijuana belonged to him. He stated that he was not transporting the narcotics for anybody and was to make no profit from the narcotics.

On 12-23-2009, S/A Stewart and TFO Beach arrived at the Falfurrias, TX BPCP to assume the investigation. S/A Stewart first read CAVAZOS his Miranda Rights in his preferred language of English. CAVAZOS stated that he understood his rights and agreed to speak with investigators based upon his verbal acknowledgement and his written signature on the Miranda Rights form.

CAVAZOS stated to S/A Stewart that all of the marijuana inside of the suitcase belonged to him. CAVAZOS said that he met with an unidentified male in Mission, TX approximately one week ago. CAVAZOS said that the male gave CAVAZOS approximately \$700 to purchase as much marijuana as possible to transport to Dallas, TX. CAVAZOS said that the male agreed to pay CAVAZOS \$150 for each pound of marijuana that CAVAZOS was able to transport from the Rio Grande Valley to Dallas, TX via bus.

CAVAZOS said that he was supposed to meet the unidentified male at the bus stop in Dallas, TX on 12-23-2009 at approximately 9:00 AM. CAVAZOS stated that he had met the unidentified male through a family member. CAVAZOS was unwilling to give further information regarding the unidentified male or the family member who introduced CAVAZOS to the unidentified male. CAVAZOS stated that he was willing to take the

blame for all of the marijuana found inside of his suitcase. CAVAZOS stated that he agreed to transport the marijuana to make extra Christmas money. CAVAZOS also admitted to being a marijuana and Xanax user. CAVAZOS said that he currently smokes approximately one ounce of marijuana a day.

A total of eight bundles containing approximately 3.76 kilograms of marijuana were seized. The amount of marijuana seized implies the intent to distribute.

AUSA Rob MacDonald was contacted and authorized prosecution of CAVAZOS on 12-23-2009.